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OIPE

JUN 1 5 2001

June 11, 2001

TOWNSEND and TOWNSEND and CREW LLP

By: Jachy By:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hedrick, J. et al.

Application No.: 09/770,528

Filed: January 25, 2001

For: MAMMALIAN CYTOKINES;

RELATED REAGENTS AND

METHODS

Examiner: Unassigned

Art Unit: 1647

COMMUNICATION UNDER

37 C.F.R. § 1.821(e)

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

In order to comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, 37 C.F.R. §§ 1.821-1.825, Applicants submit herewith the required paper copy of the Sequence Listing. Applicants request use of the acceptable computer-readable form filed in the parent Application No. 09/130,972 as the computer-readable form for the instant application, pursuant to 37 C.F.R. § 1.821(e).

It is understood that the Patent and Trademark Office will make the necessary changes in application number and filing date for the computer-readable form that will be used for the instant application. Applicants submit herewith a courtesy copy of the paper copy of the Sequence Listing as filed in the parent application. The courtesy copy is identical to the

Hedrick, J. et al. Application No.: Page 2

paper copy and computer readable copy of the sequence listing submitted in the parent application, and introduces no new matter.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400 x 5209.

Respectfully submitted,

Hugh Wang Reg. No. 47,163

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834

Tel: (415) 576-0200 Fax: (415) 576-0300

HW

PA 3150048 v1

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Attorney Docket No.: 015631 Client Reference No.: DX0725K2B

Sector

Assistant Commissioner for Patents JUN 1 5 2001 Attn: Box Missing Parts Washington, D.C. 20231

TOWNSEND and TOWNSEND and CREW LLP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hedrick, J. et al.

Application No.: 09/770,528

Filed: January 25, 2001

For: Mammalian Cytokines; Related

Reagents and Methods

Examiner:

Unassigned

Art Unit:

1647

TRANSMITTAL LETTER -

RESPONSE TO NOTICE OF MISSING

PARTS

Attn: Box Missing Parts

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

application:

Pursuant to the Notice to File Missing Parts of Non-Provisional Application Dated June 1, 2001, enclosed are the following to be made of record in the above-identified

- 1) Fee Transmittal
- 2) Copy of Notice of Missing Parts
- 3) Copy of Executed Declaration and Power of Attorney
- 4) Copy of Executed Assignment
- 5) Communication Under 37 CFR 1.821(e)
- 6) Sequence Listing
- 7) Request for Corrected Filing Receipt and Request for Change of Correspondence Address and Attorney Docket Number
- 8) Copy of Marked-up Filing Receipt
- 9) Return receipt postcard

Hedrick, J. et al. Application No.: Page 2

• quality ;

Please charge Deposit Account No. 20-1430 for the following fees:

Small Entity: (a) Filing Fee (§ 1.16(a)) (Large Entity)

\$0.00

(b) Excess Claims Fees (§ 1.16(b), (c)):

10 - 20 = 0

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1 - 3 = 0

x \$40.00 =

\$0.00

(c) Missing Parts Surcharge

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TOTAL FEES TO BE CHARGED

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The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430.

Respectfully submitted,

Hugh Wang Reg. No. 47,163

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834

Tel: 650-326-2400 Fax: 415 576-0300

HW:ksj

PA 3150312 v1

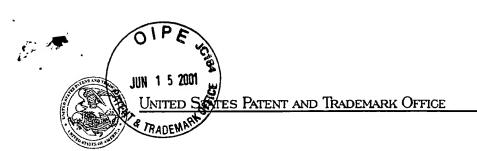
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		Complete if Known				
1	for FY 2001	Application Number	09/770,528			
		Filing Date	January 25, 2001			
1	IN 1 5 2001 E	First Named Inventor	Hedrick, J. et al.			
	Patent fees are subject to annual revision.	Examiner Name	Unassigned			
(V)	Patent fees are subject to annual revision.	Group Art Unit	1647			
٦	TOTAL AMOUNT OF PAYMENT (\$) 130	Attorney Docket No.	015631006900			

TOTAL AMOUNT OF PATIMENT (3) 130				Autority bodiotrio.							
METHOD OF PAYMENT			FEE CALCULATION (continued)								
The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:				3. ADD	ITIONAL	FEES					
1. Deposit		nd credit any over payments to:		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid_		
Account	20-1430		j	105	130	205	65	Surcharge - late filing fee or oath	130		
Number				127	50	227	25	Surcharge - late provisional filing fee or cover sheet.			
Deposit Account	Townsend and T	Townsend and Crew LLP	ı	139	130	139	130	Non-English specification			
Name			147	2,520	147	2,520	For filing a request for reexamination				
Under 37 C	Under 37 CFR 1.16 and 1.17 Applicant claims small entity status. See 37 CFR 1.27 Payment Enclosed:			112	920*	112	920*	Requesting publication of SIR prior to Examiner action			
Name			113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action				
				115	110	215	55	Extension for reply within first month			
☐ Check ☐ Credit card ☐ Money ☐ Other			116	390	216	195	Extension for reply within second month				
A-1 A-1 A-7 A-7			117	890	217	445	Extension for reply within third month				
				118	1,390	218	695	Extension for reply within fourth month			
				128	1,890	228	945	Extension for reply within fifth month			
	•			119	310	219	155	Notice of Appeal	——		
Code (\$) (,	120	310	220	155	Filing a brief in support of an appeal	 		
,,,			{	121	270	221	135	Request for oral hearing	 		
			1	138	1,510	138	1,510	Petition to institute a public use proceeding			
	208 355 R	eissue filing fee		140	110	240	55	Petition to revive – unavoidable			
114 150 2	214 75 Pr	rovisional filing fee]	141	1,240	241	620	Petition to revive – unintentional	 		
		(4)	1	142	1,240	242	620	Utility issue fee (or reissue)	 		
SUBTOTAL (1) (\$) 2. EXTRA CLAIM FEES			143	440	243	220 300	Design issue fee Plant issue fee	\vdash			
			144	600 130	244 122	130	Petitions to the Commissioner				
	E	xtra Fee from Fee		122				Petitions related to provisional	\vdash		
Total Claims 10	20** =0	A Second Paid P]	123	50	123	50	applications Submission of Information Disclosure			
Independent Claims 1	-3** = 0	X \$80 = \$0		126	180	126	180	Strnt	ļ		
Multiple Dependent		x =]	581	40	581	40	Recording each patent assignment per property (times number of properties)			
Large Entity Fee Fee	Small Entity Fee Fee	To Boundation		146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))			
Code (\$) 103 18	Code (\$) 203 9	Fee Description Claims in excess of 20		149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))			
102 80	202 40	Independent claims in excess of 3		179	710	279	355	Request for Continued Examination (RCE)			
104 270	204 135	Multiple dependent claim, if not paid						Request for expedited examination			
109 80	209 40	** Reissue independent claims over original patent		169	900	169	900	of a design application			
110 18 210 9 "Reissue claims in excess of 20 and over original patent			Other fee (specify) The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.								
SUBTOTAL (2) (\$)0											
				*Redu	ced by Ba	asic Filir	ng Fee P	raid SUBTOTAL (3) (\$)130			
**or number previo	usly paid, if greater; f	For Reissues, see above		<u></u>							

SUBMITTED BY		Co	Complete (if applicable)		
Name (Print/Type)	Hugh Wang	Registration No. (Attorney/Agent)	47,163	Telephone	650-326-2400
Signature	of Co	To ge		Date	

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COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 2023I www.uspto.gov

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/770,528

01/25/2001

Joseph A. Hedrick

15631-006900US

20350 TOWNSEND AND TOWNSEND AND CREW TWO EMBARCADERO CENTER **EIGHTH FLOOR** SAN FRANCISCO, CA 94111-3834



CONFIRMATION NO. 7799

FORMALITIES ' TTTEP

OC000000006139369



Date Mailed: 06/01/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/18/2001 SHINASSI 00000062 201430 09770528

130.00 CH

01 FC:105

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821 (g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and. where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825 (b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase Patentin Software, call (703) 306-2600
- For Patentin Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice <u>MUST</u> be returned with the reply.

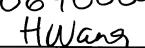
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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE









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WASHINGTON, D.C. 20231

NOD.C. 2023I

 APPLICATION NUMBER
 FILING DATE
 GRP ART UNIT
 FIL FEE REC'D
 ATTY.DOCKET.NO
 DRAWINGS
 TOT CLAIMS
 IND CLAIMS

 09/770,528
 01/25/2001
 1647
 710
 15631-006900US
 1
 10
 1

CONFIRMATION NO. 7799

20350
TOWNSEND AND TOWNSEND AND CREW
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

FII ING RECEIDT

OC000000006139368

Date Mailed: 06/01/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Joseph A. Hedrick, Plainsboro, NJ;
Theodore R. Sana, Palo Alto, CA;
J. Fernando Bazan, Menlo Park, CA;
Robert A. Kastelein, Redwood City, CA;



Domestic Priority data as claimed by applicant

THIS APPLICATION IS A DIV OF 09/130,972 08/07/1998 ABN WHICH IS A CON OF 09/097,976 06/16/1998 ABN WHICH IS A CON OF 09/062,866 04/20/1998 ABN WHICH CLAIMS BENEFIT OF 60/044,165 04/21/1997 AND CLAIMS BENEFIT OF 60/055,111 08/06/1997

Foreign Applications

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No



Title

Mammalian cytokines; related reagents and methods

Preliminary Class

514

Data entry by : KELECHA, ASEGEDECH

Team : OIPE

Date: 06/01/2001





LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

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- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
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- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
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3

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